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Universal periodic review

Written submission by the Human Rights Commission of Zambia*

Note by the Secretariat

The Secretariat of the Human Rights Council hereby transmits the communication submitted by the Human Rights Commission of Zambia**, reproduced below in accordance with rule 7(b) of the rules of procedures described in the annex to Council resolution 5/1, according to which participation of national human rights institutions is to be based on arrangements and practices agreed upon by the Commission on Human Rights, including resolution 2005/74 of 20 April 2005.

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- * National human rights institution with A status accreditation from the Global Alliance of National Institutions for the Promotion and Protection of Human Rights.
 - ** Reproduced in the annex as received, in the language of submission only.

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Annex

Adoption of Universal periodic review outcome of Zambia

This statement is made by the Human Rights Commission of Zambia.

The Human Rights Commission wishes to recognise and commend the Committee for the professional manner the deliberations were handled, the 78 Countries that made oral and written submissions, CSOs who provided parallel reports and the Zambian Government for their commitment to open and transparent processes in reporting to the Human Rights Council. The ZHRC takes the UPR seriously as it provides practical steps toward promotion of human rights and opportunities for learning from other jurisdictions. It is our hope that the Zambian Government's firm commitment to putting in place a UPR implementation mechanism with a clear time bound implementation action plan combined with the resolve of the member states some of whom participated in the UPR for Zambia to assist by sharing experiences and capacity development, will enhance the progressive realisation of human rights in Zambia.

Mr Chairman,

We note that several recommendations which were not accepted are in fact in areas where Government has shown commitment by investing in legal and policy reforms and by prioritizing them in the 7th National Development Plan. We therefore would expect recommendations such as protection of freedoms (assembly, expression, association), eliminations of all forms of discrimination, protection of migrant workers and their families to be accepted by Government as there are current processes to reform the Public Order Act and other relevant legislation and policies. Also, we would expect the acceptance of recommendations to ratify optional protocols especially regarding death penalty as Government as accepted a moratorium on implementation of the judgements.

Mr. Chairman, the underlying human rights principles of universality, inalienability; indivisibility; interdependence and interrelatedness are fundamental ensuring that no one is left behind during the implementation of SDGs. They act as a radar in guiding domestic legislation, policies and development programmes. As stated in our advisory to government, it is still the view of the Commission that some recommendations noted should have been supported considering existing binding obligations from treaties, protocols and agreements the State is party to including voluntary pledges from previous UPR cycles and in reports to treaty committees; the principles of universality, inalienability; indivisibility; interdependence and interrelatedness of human rights; the obligations assumed by being a subscribing State to Sustainable Development Goals (SDGs); the interplay between some of those recommendations with the 7th National Development Plan; the guarantees in the Constitution, other laws, policies and practices related to recommendations;

The Commission is, nevertheless, optimistic government will continue ongoing dialogue regarding exploration of possibilities to expand the bill of rights including incorporation of economic, social and cultural rights as envisaged in the failed referendum of 2016, before the next general election in 2021.

Mr Chair,

We are pleased that Government has placed priority in the 7th National Development Plan on resolving issues pertaining to the Public Order Act, further constitutional reforms to ensure greater access to human rights and elimination of inconsistencies and discretionary powers to officers.

The Commission is committed to working with government, CSOs and other stakeholders to ensure the UPR works to improve the state of human rights on the ground.

I thank you.
